

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITY OF PROVIDENCE,

Plaintiff,

v.

BANK OF NOVA SCOTIA, NEW YORK AGENCY;
BARCLAYS CAPITAL INC.; BMO CAPITAL
MARKETS CORP.; BNP PARIBAS SECURITIES
CORP.; CANTOR FITZGERALD & CO.;
CITIGROUP GLOBAL MARKETS INC.;
COMMERZ MARKETS LLC; CREDIT SUISSE
SECURITIES (USA) LLC; DAIWA CAPITAL
MARKETS AMERICA INC.; DEUTSCHE BANK
SECURITIES INC.; GOLDMAN, SACHS & CO.;
HSBC SECURITIES (USA) INC.; JEFFERIES LLC;
J.P. MORGAN SECURITIES LLC; MERRILL
LYNCH, PIERCE, FENNER & SMITH
INCORPORATED; MIZUHO SECURITIES USA
INC.; MORGAN STANLEY & CO. LLC; NOMURA
SECURITIES INTERNATIONAL, INC.; RBC
CAPITAL MARKETS, LLC; RBS SECURITIES
INC.; SG AMERICAS SECURITIES, LLC; TD
SECURITIES (USA) LLC; and UBS SECURITIES
LLC,

Defendants.

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Civil Action No. 1:15-cv-07688-PGG

**STIPULATION SETTING TIME FOR DEFENDANTS TO
ANSWER, MOVE, OR OTHERWISE RESPOND TO THE COMPLAINT
AND FOR THE PARTIES TO PROPOSE CERTAIN CASE MANAGEMENT DATES**

WHEREAS, on July 23, 2015, plaintiff State-Boston Retirement System filed a complaint in Case No. 1:15-cv-05794 in the Southern District of New York ("State Boston case");

WHEREAS, on July 23, 2015, plaintiffs Beaver County Employees' Retirement Fund, Erie County Employees' Retirement System, and Lackawanna County Employees' Retirement Fund filed a complaint in the above-captioned case ("Beaver County case");

WHEREAS, on July 24, 2015, plaintiff Arkansas Teacher Retirement System filed a complaint in Case No. 1:15-cv-05830 in the Southern District of New York (“Arkansas Teacher case”);

WHEREAS, on July 24, 2015, plaintiff Marc G. Federighi filed a complaint in Case No. 1:15-cv-05843 in the Southern District of New York (“Federighi case”);

WHEREAS, on July 28, 2015, plaintiffs United Food and Commercial Workers Union and Participating Food Industry Employers Tri-State Pension Fund filed a complaint in Case No. 1:15-cv-05931 in the Southern District of New York (“United Food case”);

WHEREAS, on July 29, 2015, plaintiff Inter-Local Pension Fund Graphic Communications Conference of the International Brotherhood of Teamsters filed a complaint in Case No. 1:15-cv-5939 in the Southern District of New York (“Inter-Local case”);

WHEREAS, on July 29, 2015, plaintiff United International Insurance Company filed a complaint in Case No. 1:15-cv-05957 in the Southern District of New York (“UI Insurance case”);

WHEREAS, on July 30, 2015, plaintiff IBEW Local 640 Arizona Chapter NECA Pension Trust Fund filed a complaint in Case No. 1:15-cv-06003 in the Southern District of New York (“IBEW case”);

WHEREAS, on August 3, 2015, plaintiff City of Pontiac Police and Fire Retirement System filed a complaint in Case No. 1:15-cv-06072 in the Southern District of New York (“City of Pontiac Police case”);

WHEREAS, on August 4, 2015, plaintiff Rutgers Enhanced Insurance Company filed a complaint in Case No. 1:15-cv-06129 in the Southern District of New York (“Rutgers case”);

WHEREAS, on August 5, 2015, plaintiff Michael St. John filed a complaint in Case No. 1:15-cv-6139 in the Southern District of New York (“Michael St. John case”);

WHEREAS, on August 17, 2015, plaintiff Oklahoma Firefighters Pension and Retirement System filed a complaint in Case No. 1:15-cv-06474 in the Southern District of New York (“Oklahoma case”);

WHEREAS, on August 26, 2015, plaintiffs Cleveland Bakers and Teamsters Pension Fund, Cleveland Bakers and Teamsters Health and Welfare Fund, and Masterinvest Kapitalanlage GMBH filed a complaint in Case No. 1:15-cv-06782 in the Southern District of New York (“Cleveland case”);

WHEREAS, on August 28, 2015, plaintiff United Food and Commercial Workers Local 1776 & Participating Employers Pension Fund filed a complaint in Case No. 15-cv-6853 in the Southern District of New York (“CW Local 1776 case”);

WHEREAS, on September 1, 2015, plaintiff Marina Fouts filed a complaint in Case No. 15-cv-6892 in the Southern District of New York (“Fouts case”);

WHEREAS, on September 4, 2015, plaintiff Employees’ Retirement System of Rhode Island filed a complaint in Case No. 15-cv-7006 in the Southern District of New York (“Rhode Island case”);

WHEREAS, on September 10, 2015, plaintiff City of Atlanta Firefighters’ Pension Fund filed a complaint in Case No. 15-cv-7111 in the Southern District of New York (“Atlanta Firefighters’ case”);

WHEREAS, on September 16, 2015, plaintiff H. Rogers Varner, Jr. filed a complaint in Case No. 15-cv-7325 in the Southern District of New York (“Varner case”);

WHEREAS, on September 16, 2015, plaintiffs Jane Franklin and Jonathan Richard Williamson filed a complaint in Case No. 15-cv-7329 in the Southern District of New York (“Franklin case”);

WHEREAS, on September 17, 2015, plaintiffs Laborers Local 100 and 397 Health and Welfare Fund and Laborers Local 100 and 397 Pension Fund filed a complaint in Case No. 15-cv-7385 in the Southern District of New York (“Laborers Local 100 case”);

WHEREAS, on September 17, 2015, plaintiff Bank of Jerusalem, Ltd. filed a complaint in Case No. 15-cv-7390 in the Southern District of New York (“Bank of Jerusalem case”);

WHEREAS, on September 18, 2015, plaintiff Alaska Electrical Pension Fund filed a complaint in Case No. 15-cv-7420 in the Southern District of New York (“Alaska case”);

WHEREAS, on September 21, 2015, plaintiff Employees’ Retirement System of the Government of the Virgin Islands filed a complaint in Case No. 15-cv-55 in the District of the Virgin Islands (“Virgin Islands case”);

WHEREAS, on September 22, 2015, plaintiff Endeavor Trading, LLC filed a complaint in Case No. 15-cv-7481 in the Southern District of New York (“Endeavor case”);

WHEREAS, on September 24, 2015, plaintiff Police Retirement System of St. Louis filed a complaint in Case No. 15-cv-8417 in the Northern District of Illinois (“St. Louis Police case”);

WHEREAS, on September 28, 2015, plaintiff Central Laborers’ Pension Fund filed a complaint in Case No. 15-cv-7631 in the Southern District of New York (“Central Laborers’ case”);

WHEREAS, on September 28, 2015, plaintiff New Jersey Laborers Statewide Funds filed a complaint in Case No. 15-cv-7642 in the Southern District of New York (“New Jersey Laborers case”);

WHEREAS, on September 29, 2015, plaintiff City of Providence filed a complaint in Case No. 15-cv-7688 in the Southern District of New York (“City of Providence case”);

WHEREAS, on September 29, 2015, plaintiff Michael J. Smith filed a complaint in Case No. 15-cv-8634 in the Northern District of Illinois (“Smith case”);

WHEREAS, on September 30, 2015, plaintiffs Richard Corbett and Brian Fisher filed a complaint in Case No. 15-cv-7735 in the Southern District of New York (“Corbett case”);

WHEREAS, on October 5, 2015, plaintiff Laborers’ Local 231 Pension Fund filed a complaint in Case No. 15-cv-5939 in the Southern District of New York (“Laborers Local 231 case”);

WHEREAS, on October 5, 2015, plaintiffs City of Omaha Police & Fire Retirement System and Thomas E. Kalaway filed a complaint in Case No. 15-cv-8811 in the Northern District of Illinois (“Omaha case”);

WHEREAS, on October 5, 2015, plaintiff Robert L. Teel filed a complaint in Case No. 15-cv-7855 in the Southern District of New York (“Teel case”);

WHEREAS, on October 6, 2015, plaintiff Rock Capital Markets, LLC filed a complaint in Case No. 15-cv-8859 in the Northern District of Illinois (“Rock Capital Markets case”);

WHEREAS, the allegations in the aforementioned matters, including the City of Providence case, are substantially similar, some but not all of the aforementioned matters have been consolidated, and other plaintiffs may file additional complaints asserting substantially similar allegations and claims (collectively, the “Related Actions”);

WHEREAS, there has been no prior request to extend any deadlines in the above-captioned lawsuit;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. The undersigned counsel accept service of the complaint in the above-captioned lawsuit on behalf of their respective clients, expressly reserving the right to contest whether any party in the complaint is properly named, and without waiver of any defenses, including those related to personal jurisdiction and venue, except as to the sufficiency of process and the service of process.

2. Defendants' time to answer, move or otherwise respond to the complaint is hereby suspended until such time as the United States District Court for the Southern District of New York or any other court to which the case is assigned enters an order coordinating or consolidating the foregoing cases and any Related Actions, provided that:

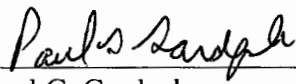
- a. upon resolution of proceedings concerning coordination or consolidation of the foregoing cases and any Related Actions, the parties shall confer in good faith regarding a proposed schedule for filing and responding to any consolidated complaint.

3. If Defendants' time to answer, move, or otherwise respond to a complaint in any Related Action or other pending action is not similarly suspended pending the coordination or consolidation proceedings, the parties shall meet and confer in good faith concerning the schedule in this action, with each side preserving all rights to apply to this Court or any other Court of competent jurisdiction for appropriate relief.

4. The undersigned counsel further agree, subject to the approval of the Court, to extend, until at least 60 days after the foregoing cases and any Related Actions have been coordinated or consolidated and any lead and liaison counsel have been identified for the proceedings, the time for submitting the proposed Case Management Plan specified in the Court's Pretrial Conference Notice.

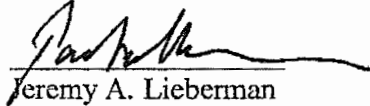
DATED: October 8, 2015

SO ORDERED, at New York, N.Y.,
October 14, 2015



Hon. Paul G. Gardephe
United States District Judge

POMERANTZ LLP



Jeremy A. Lieberman
Justin S. Nematzadeh
J. Alexander Hood II
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: (212) 661-1100
Facsimile: (212) 661-8665
jalieberman@pomlaw.com
jnematzadeh@pomlaw.com
ahood@pomlaw.com

POMERANTZ LLP

Jayne A. Goldstein
1792 Bell Tower Lane, Suite 203
Weston, Florida 33326
Telephone: (954) 315-3454
Facsimile: (954) 315-3455
jagoldstein@pomlaw.com

POMERANTZ LLP

Patrick V. Dahlstrom
10 South LaSalle Street, Suite 3505
Chicago, Illinois 60603
Telephone: (312) 377-1181
Facsimile: (312) 377-1184
pdahlstrom@pomlaw.com

***Counsel for Plaintiff City of
Providence***

Bob Sperling *s/p.T.*
Robert Y. Sperling (pending *pro hac vice*)
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
Tel: (312) 558-7941
Fax: (312) 558-5700
rsperling@winston.com

Elizabeth P. Papez (pending *pro hac vice*)
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, D.C. 20006-3817
Tel: (202) 282-5678
epapez@winston.com

Penny Shane
Stephen Ehrenberg
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
Tel: (212) 558-4000
Fax: (212) 558-3588
shanep@sullcrom.com
ehrenbergs@sullcrom.com

Attorneys for Goldman, Sachs & Co.

Richard C. Pepperman II
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
Tel: (212) 558-4000
Fax: (212) 558-3588
peppermanr@sullcrom.com

*Attorneys for The Bank of Nova Scotia, New
York Agency*

Robert Y. Sperling (pending *pro hac vice*)
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
Tel: (312) 558-7941
Fax: (312) 558-5700
rsperling@winston.com

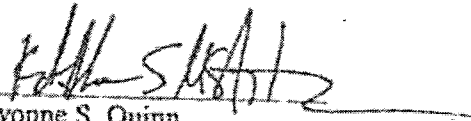
Elizabeth P. Papez (pending *pro hac vice*)
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, D.C. 20006-3817
Tel: (202) 282-5678
epapez@winston.com

Penny Shane
Stephen Ehrenberg
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
Tel: (212) 558-4000
Fax: (212) 558-3588
shanep@sullcrom.com
ehrenbergs@sullcrom.com

Attorneys for Goldman, Sachs & Co.


Richard C. Pepperman II
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
Tel: (212) 558-4000
Fax: (212) 558-3588
peppermanr@sullcrom.com

*Attorneys for The Bank of Nova Scotia, New
York Agency*



Yvonne S. Quinn
David H. Braff
Matthew A. Schwartz
Kathleen S. McArthur
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
quinn@sullcrom.com
braff@sullcrom.com
schwartzmatthew@sullcrom.com
mcarthur@sullcrom.com

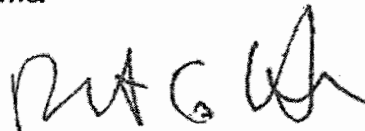
*Attorneys for Defendant Barclays Capital
Inc.*

Robert G. Houck
David Yeres
John D. Friel
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, New York 10019
Tel: (212) 878-8000
Fax: (212) 878-8375
robert.houck@cliffordchance.com
david.yeres@cliffordchance.com
john.friel@cliffordchance.com

*Attorneys for Defendant BMO Capital
Markets Corp.*

Yvonne S. Quinn
David H. Braff
Matthew A. Schwartz
Kathleen S. McArthur
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
quinny@sullcrom.com
braffd@sullcrom.com
schwartzmatthew@sullcrom.com
mcarthurk@sullcrom.com

*Attorneys for Defendant Barclays Capital
Inc.*



Robert G. Houck
David Yeres
John D. Friel
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, New York 10019
Tel: (212) 878-8000
Fax: (212) 878-8375
robert.houck@cliffordchance.com
david.yeres@cliffordchance.com
john.friel@cliffordchance.com

*Attorneys for Defendant BMO Capital
Markets Corp.*



Jay B. Kasner
Shepard Goldfein
Paul M. Eckles
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
Phone: (212) 735-3000
Fax: (212) 735-2000
jay.kasner@skadden.com
shepard.goldfein@skadden.com
paul.eckles@skadden.com

*Attorneys for Defendant Citigroup Global
Markets Inc.*

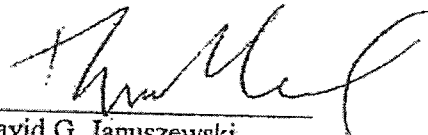
David G. Januszewski
Elai Katz
Thorn Rosenthal
Herbert S. Washer
Krista Friedrich
CAHILL GORDON & REINDEL LLP
80 pine Street
New York, New York 10005
Telephone: 212-701-3000
djanuszewski@cahill.com

*Attorneys for Defendant Credit Suisse
Securities (USA) LLC*

Gary P. Naftalis
Alan R. Friedman
KRAMER LEVIN NAFTALIS & FRANKEL
LLP
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

Jay B. Kasner
Shepard Goldfein
Paul M. Eckles
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
Phone: (212) 735-3000
Fax: (212) 735-2000
jay.kasner@skadden.com
shepard.goldfein@skadden.com
paul.eckles@skadden.com

*Attorneys for Defendant Citigroup Global
Markets Inc.*



David G. Januszewski
Elai Katz
Thorn Rosenthal
Herbert S. Washer
Krista Friedrich
CAHILL GORDON & REINDEL LLP
80 pine Street
New York, New York 10005
Telephone: 212-701-3000
djanuszewski@cabill.com

*Attorneys for Defendant Credit Suisse
Securities (USA) LLC*

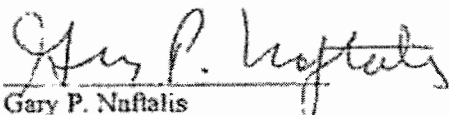
Gary P. Naftalis
Alan R. Friedman
KRAMER LEVIN NAFTALIS & FRANKEL
LLP
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

Jay B. Kasner
Shepard Goldfein
Paul M. Eckles
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
Phone: (212) 735-3000
Fax: (212) 735-2000
jay.kasner@skadden.com
shepard.goldfein@skadden.com
paul.eckles@skadden.com

*Attorneys for Defendant Citigroup Global
Markets Inc.*

David G. Januszewski
Elai Katz
Thorn Rosenthal
Herbert S. Washer
Krista Friedrich
CAHILL GORDON & REINDEL LLP
80 pine Street
New York, New York 10005
Telephone: 212-701-3000
djanuszewski@cahill.com

*Attorneys for Defendant Credit Suisse
Securities (USA) LLC*


Gary P. Naftalis
Alan R. Friedman
KRAMER LEVIN NAFTALIS & FRANKEL
LLP
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

*Attorneys for Defendant Daiwa Capital
Markets America Inc.*



Thomas C. Rice

David J. Woll

Jeffrey H. Knox

David Elbaum

SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue

New York, New York 10017

Tel.: (212) 455-2000

Fax: (212) 455-2502

trice@stblaw.com

dwall@stblaw.com

jeffrey.knox@stblaw.com

david.elbaum@stblaw.com

*Attorneys for Defendant Deutsche Bank
Securities Inc.*

Kenneth J. Schacter


MORGAN, LEWIS & BOCKIUS LLP

101 Park Avenue

*Attorneys for Defendant Daiwa Capital
Markets America Inc.*

Thomas C. Rice
David J. Wolf
Jeffrey H. Knox
David Elbaum
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, New York 10017
Tel.: (212) 455-2000
Fax: (212) 455-2502
trice@stblaw.com
dwolf@stblaw.com
jeffrey.knox@stblaw.com
david.elbaum@stblaw.com

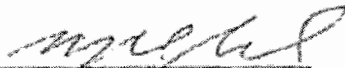
*Attorneys for Defendant Deutsche Bank
Securities Inc.*


Kenneth I. Schacter
MORGAN LEWIS & BOCKIUS LLP
101 Park Avenue

New York, New York 10178-0060
Telephone: 212.309.6865
Facsimile: 212.309.6001
kenneth.schacter@morganlewis.com

Jon R. Roellke (*Pro Hac Vice Motion
Forthcoming*)
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave, NW
Washington, DC 20004
Telephone: 202.739.5754
Facsimile: 202.739.3001
jon.roellke@morganlewis.com

Attorneys for Defendant Jefferies LLC


Mark P. Gimbel
COVINGTON & BURLING LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
Tel: (212) 841-1161
Fax: (646) 441-9161
mgimbel@cov.com

Robert D. Wick
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, DC 20001
Telephone: (202) 662-5487
Fax: (202) 778-5487
rwick@cov.com

*Attorneys for Defendant J.P. Morgan
Securities LLC*



John E. Schmittlein (admitted *pro hac vice*)
Nicholas J. Boyle (NY Bar # 2846491)
Lauren K. Collogan (admitted *pro hac vice*)
Alexis A. Lien (admitted *pro hac vice*)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
jschmittlein@wc.com
nboyle@wc.com
lcollogan@wc.com
alien@wc.com

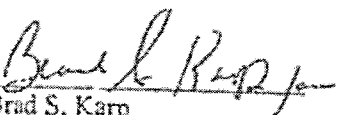
*Attorneys for Defendant Merrill Lynch,
Pierce, Fenner & Smith Incorporated*

Brad S. Karp
PAUL WEISS RIFKIND WHARTON &
GARRISON LLP
1285 Avenue for the Americas
New York, NY 10019
212 373 3316 (o)
212 492 0316 (fax)
bkarp@paulweiss.com

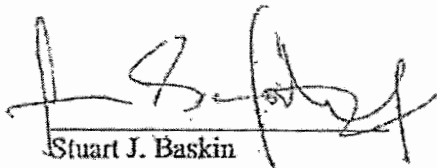
*Attorneys for Defendant Morgan Stanley &
Co. LLC*

Nicholas J. Boyle (NY Bar # 2846491)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 434-5000
Facsimile: (202) 434-5029
nboyle@wc.com

*Attorneys for Defendant Merrill Lynch,
Pierce, Fenner & Smith Incorporated*


Brad S. Karp
PAUL WEISS RIFKIND WHARTON &
GARRISON LLP
1285 Avenue for the Americas
New York, NY 10019
212 373 3316 (o)
212 492 0316 (fax)
bkarp@paulweiss.com

*Attorneys for Defendant Morgan Stanley &
Co. LLC*



Stuart J. Baskin
Jerome S. Fortinsky
John A. Nathanson
Joanna Shally
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, New York 10022-6069
Telephone (212) 848-4000
Facsimile: (646) 848-4000
sbaskin@shearman.com
jfortinsky@shearman.com
john.nathanson@shearman.com
jshally@shearman.com

*Attorneys for Defendant Mizuho Securities
USA Inc.*

Steven L. Holley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
holleys@sullcrom.com

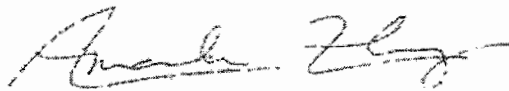
Amanda F. Davidoff
SULLIVAN & CROMWELL LLP
1700 New York Avenue, N.W.
Washington, D.C. 20006
Telephone: (202) 956-7500
davidoffa@sullcrom.com

*Attorneys for Defendant Nomura Securities
International, Inc.*

Marshall H. Fishman
Loah Friedman
Sophie-Charlotte Rohnke

Stuart J. Baskin
Jerome S. Fortinsky
John A. Nathanson
Joanna Shally
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, New York 10022-6069
Telephone (212) 848-4000
Facsimile: (646) 848-4000
sbaskin@shearman.com
jfortinsky@shearman.com
john.nathanson@shearman.com
jshally@shearman.com

*Attorneys for Defendant Mizuho Securities
USA Inc.*



Steven L. Holley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
holleys@sullcrom.com

Amanda F. Davidoff
SULLIVAN & CROMWELL LLP
1700 New York Avenue, N.W.
Washington, D.C. 20006
Telephone: (202) 956-7500
davidoffa@sullcrom.com

*Attorneys for Defendant Nomura Securities
International, Inc.*

Stuart J. Baskin
Jerome S. Fortinsky
John A. Nathanson
Joanna Shally
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, New York 10022-6069
Telephone (212) 848-4000
Facsimile: (646) 848-4000
sbaskin@shearman.com
jfortinsky@shearman.com
john.nathanson@shearman.com
jshally@shearman.com

*Attorneys for Defendant Mizuho Securities
USA Inc.*

Steven L. Holley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
holleys@sullcrom.com

Amanda F. Davidoff
SULLIVAN & CROMWELL LLP
1700 New York Avenue, N.W.
Washington, D.C. 20006
Telephone: (202) 956-7500
davidoffa@sullcrom.com

*Attorneys for Defendant Nomura Securities
International, Inc.*

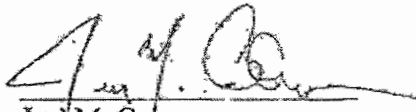


Marshall H. Fishman
Leah Friedman
Sophie-Charlotte Rohnke

FRESHFIELDS BRUCKHAUS DERINGER
US LLP

601 Lexington Avenue
New York, New York 10022
212-277-4000
marshall.fishman@freshfields.com
leah.friedman@freshfields.com
sophie.rohnke@freshfields.com

*Attorneys for Defendant RBC Capital
Markets, LLC*



Joel M. Cohen
Arthur J. Burke
Greg D. Andres
Melissa C. King
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 450-4800
joel.cohen@davispolk.com
arthur.burke@davispolk.com
greg.andres@davispolk.com
melissa.king@davispolk.com

Attorneys for Defendant RBS Securities Inc.

David C. Esseks
Todd S. Fishman
ALLEN & OVERY LLP
1221 Avenue of the Americas
New York, New York 10020
Tel: 212-610-6300
Fax: 212-610-6399
david.esseks@allenovery.com
todd.fishman@allenovery.com

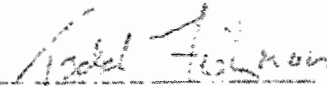
*Attorneys for Defendant SG Americas
Securities, LLC*

FRESHFIELDS BRUCKHAUS DERINGER
US LLP
601 Lexington Avenue
New York, New York 10022
212-277-4000
marshall.fishman@freshfields.com
leah.friedman@freshfields.com
sophie.rohnke@freshfields.com

*Attorneys for Defendant RBC Capital
Markets, LLC*

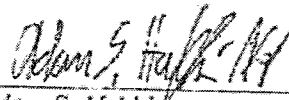
Joel M. Cohen
Arthur J. Burke
Greg D. Andres
Melissa C. King
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 450-4800
joel.cohen@davispolk.com
arthur.burke@davispolk.com
greg.andres@davispolk.com
melissa.king@davispolk.com

Attorneys for Defendant RBS Securities Inc.



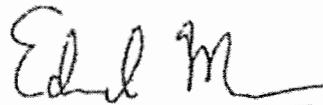
David C. Esseks
Todd S. Fishman
ALLEN & OVERY LLP
1221 Avenue of the Americas
New York, New York 10020
Tel: 212-610-6300
Fax: 212-610-6399
david.esseks@allenovery.com
todd.fishman@allenovery.com

*Attorneys for Defendant SG Americas
Securities, LLC*



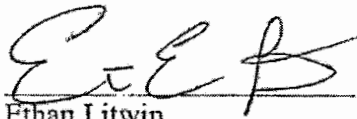
Adam S. Hakki
James P. Tallon
Keith R. Palfin
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, New York 10022-6069
Telephone: (212) 848-4000
Facsimile: (646) 848-4000
ahakki@shearman.com
jtallon@shearman.com
kpalfin@shearman.com

*Attorneys for Defendant BNP Paribas
Securities Corp.*



Pamela A. Miller
Edward N. Moss
O'MELVENY & MYERS LLP
7 Times Square
New York, New York 10036
Telephone: (212) 326-2000
Facsimile: (212) 326-2061
pmiller@omm.com
emoss@omm.com

*Attorneys for Defendant TD Securities
(USA) LLC*

A handwritten signature in black ink, appearing to read 'E. Litwin', with a horizontal line drawn underneath it.

Ethan Litwin

HUGHES HUBBARD & REED LLP

One Battery Park Plaza

New York, New York 10004-1482

Telephone: 212-837-6000

Fax: 212-422-4726

ethan.litwin@hugheshubbard.com

*Attorneys for Defendant Cantor
Fitzgerald & Co.*